

REMARKS

Reconsideration of the rejections of record is respectfully requested in light of the following comments. Claims 1 and 13 have been amended to delete the word "about" from the claim. This amendment will be discussed further in view of the rejection of the claims as indefinite. Entry of the amendment is respectfully requested.

Claims 1 and 13 have been amended to recite a specific number of parameters to be tested, the specific taste parameters and the specific olfaction parameters and that the results are to be provided visually simultaneously. The invention is an improvement over the prior art in that multiple parameters are tested and simultaneously provided in a graphical image. The prior art typically measured a single attribute over time. Occasionally the results were averaged and provided in a display to the researcher. However, previous practice had not provided for multiple parameters to be handled simultaneously and did not provide an instantaneous visual display to the panelist.

The claimed invention is directed to a method for conducting taste and smell panel testing. Not only are the parameters allowed to be tested simultaneously, but the method also provides visual feedback to the panelist to show the subject how altering one parameter effects the relative weighing of the other recited parameters. Applicants have discovered this provides better information and allows the subjects to see how increasing one attribute will effect the relative weighing of other attributes. Since the results are provided graphically, no mathematical computations are required by the panelist which makes it easier for the panelists to participate and eliminates possible mathematical errors. These mathematical errors can cause the validity of data to be questioned or in a worse case to be discarded due to incorrect data.

Claims 1 and 13 stand rejected under 35 USC 112, second paragraph, for being indefinite for failing to point out and distinctly claim the subject matter of the invention. The Examiner states that the phrase from about 4 to about 6 parameters renders the claims indefinite.

Applicants have amended the claims to delete the word "about" in both claims. This amendment was made in order to expedite allowance of the pending claims. Accordingly, reconsideration and withdrawal of the rejection of claims 1 and 13 as indefinite is respectfully requested.

Claims 1-6 and 13-18 stand rejected as obvious under 35 U.S.C. 103 (a) as obvious in view of RSSL for the reasons set forth in the Office Action. Applicants respectfully submit that the pending claims are not obvious in view of the arguments presented below.

The present claims are not suggested by the RSSL disclosure for the following reasons.

The RSSL disclosure fails to disclose or suggest the specific attributes used to score the taste attributes, and also fails to suggest that 4 to 6 attributes be used. This disclosure can not fairly be said to be applied to fragrances let alone the specific fragrance attributes set forth in the claims.

The RSSL disclosure does not suggest having the panelist manipulate various attributes which are then simultaneously put into a single score that the panelist can visualize and then adjust as they see fit based upon the automatic feedback provided by the claimed invention. Instead the RSSL disclosure states that the products under test are then scored on open line intensity scales ...and the mean data is then put into spider diagrams which show the response [emphasis added, see second page third paragraph of the disclosure]. This clearly indicates that the panelist data is not graphically presented and allowed to be modified.

Further this disclosure can not fairly be said to provide a simultaneous response to the panelist. Rather this disclosure teaches that the scores are averaged and then put into a graphical form. Clearly this is not simultaneous visual interpretation as set forth in the claimed invention. It does not suggest that the panelist be able to reconfigure the data based upon its presentation. In fact this disclosure teaches away, since the supervisor of the panels are compiling the data and using the mean data to score the results.

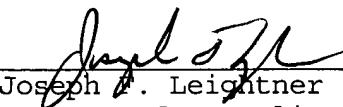
Applicants respectfully submit that the claims as amended are not suggested or made obvious by the RSSL disclosure. Applicants respectfully submit that this can not be fairly said to suggest the simultaneous testing of multiple parameters, and the simultaneous comparison of their relative strength displayed relative to one another. Applicants also respectfully submit that the RSSL disclosure can not be fairly said to map and display the multiple parameters simultaneously and allow the panelist to amend the display based upon the graphical depiction.

In view of the amendment of the claims and the arguments set forth above, reconsideration and withdrawal of the rejection of the claims as obvious in view of the RSSL disclosure is respectfully requested.

Applicants note the other art made of reference in the application but believe no further comment is necessary at this time. Applicants respectfully submit that the claims as amended clearly define the present invention and are in full compliance with all statutory provisions and recite patentable inventions in view of the prior art. Early and favorable consideration of the pending claims is earnestly solicited.

Entry of this Amendment is respectfully requested inasmuch as it places the application in better condition for allowance, introduces no new matter and does not require a further search. In the event the Examiner should adhere to the reasons for finally rejecting the claims, then it is respectfully requested that the Amendment be entered for purposes of appeal since it narrows the issues and thereby places the application in better condition for appeal.

Respectfully submitted,



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